

REMARKS

Claims 1-38 remain in the application for consideration. In view of the following remarks, Applicant traverses the Office's rejections and respectfully requests that the application be forwarded on to issuance.

§ 103 Rejections

Claims 1-38 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,128,655 to Fields, et al. (hereinafter "Fields") in view of U.S. Patent No. 6, 247,032 to Bernardo, et al. (hereinafter "Bernardo").

The Claims

Claim 1 recites a computer executable method comprising:

- retrieving content from a plurality of content providers, wherein the retrieved content is to be displayed in at least one Web page;
- verifying a format of the retrieved content by comparing a data structure of the retrieved content with a data structure defined in a schema file;
- rejecting particular content if the particular content format is not valid; and
- if the particular content is valid:
 - scheduling the particular content to be displayed at a scheduled time; and
 - displaying the particular content at the scheduled time, the particular content being displayed by a Web server.

In making out the rejection of this claim, the Office argues that its subject matter is obvious over Fields in view of Bernardo. Applicant respectfully disagrees and submits that the Office has failed to establish a *prima facie* case of obviousness with respect to this claim for at least the reasons discussed below.

1 The first reason that the Office has failed to establish a *prima facie* case of
2 obviousness is that the Office has failed to provide a proper motivation to combine
3 the teachings of Fields and Bernardo. The Office states that the motivation to
4 combine Bernardo's time intervals pending publication of content with the
5 embodiment of Fields is to "provid[e] Fields the benefit of time scheduling for
6 publishing contents, so as to make sure all required approval checks are made."
7 Office Action at page 3. However, the embodiment of Fields would appear to not
8 benefit from the addition of an approval check process to its web content
9 republishing process.

10 First, Fields already discloses the ability to filter web page contents in order
11 to extract the desired portions of a page. See, e.g., Fields at column 7, lines 24-33.
12 The filters used in this process are defined prior to a client's request for particular
13 content and thus can be automatically applied when the content is requested.
14 Fields at column 7, lines 56-64. Thus, the filters serve as a type of "pre-approval"
15 process that allows web content to be parsed according to predefined criteria.
16 Further, Fields discloses that after content is filtered, it is then automatically
17 reformatted into a new document in the style and context of the hosting web site.
18 Fields at column 8, lines 45-50. Finally, the overall republishing process disclosed
19 by Fields takes place in response to a real time web page request by a client.
20 Fields at column 4, lines 33-36 and 57-60. The introduction of time intervals
21 pending publication of content would result in an undesirable delay in responding
22 to a client's request for content. For at least these reasons, the Office has failed to
23 provide a proper motivation to combine the teachings of Fields and Bernardo.

24 The second reason that the Office has failed to establish a *prima facie* case
25 of obviousness with respect to claim 1 is that Fields teaches away from Bernardo's

1 feature of delaying the publication of content in order to wait for web site
2 approval. As discussed above, the Office's argument in support of the
3 combination of these references states that the addition of time intervals pending
4 publication would benefit the embodiment of Fields by allowing all required
5 approval checks to be made. However, Fields specifically teaches away from
6 introducing any further delay into its republication process. The general
7 republication process of Fields is initiated by a client's real time request for a
8 given web page. Fields at column 4, lines 33-36. It is a goal of Fields to return
9 the requested web page without introducing any unnecessary delays. See Fields at
10 column 5, lines 12-15 (suggesting caching as a method of allowing faster access to
11 web content); column 12, lines 43-44 (explaining that speed of document retrieval
12 is an issue with the invention). Accordingly, the introduction of time intervals
13 pending publication would be directly contrary to the goal of Fields to provide a
14 rapid response to a client's request for content.

15 The third reason that the Office has failed to establish a *prima facie* case of
16 obviousness with respect to claim 1 is that the combination of Fields and Bernardo
17 fails to teach all of this claims recited features. Specifically, neither reference
18 discloses or suggests the features of scheduling the particular content to be
19 displayed at a scheduled time and displaying the particular content at the
20 scheduled time, the particular content being displayed by a Web server. The
21 Office argues that these features are disclosed by the combination of Fields and
22 Bernardo. However, the Office's argument improperly characterizes these
23 references and the claim language, and in doing so fails to establish that these
24 features are disclosed or suggested by the cited references. The Office argues that
25 Fields discloses "scheduling the particular content...displayed by a Web server."

1 Office Action at page 3. However, the claim specifically reads “scheduling the
2 particular content *to be* displayed at a scheduled time” (emphasis added). Thus, the
3 scheduling feature establishes a *specific time* at which the content is to be
4 displayed. The arguments presented by the Office have misquoted the language of
5 this claim.

6 Further, the Office argues that Fields does not disclose “scheduling
7 publishing at a scheduled time,” but that Bernardo does. Office Action at page 3.
8 However, the claim specifically recites “displaying the particular content at *the*
9 scheduled time” (emphasis added). Thus, the content is displayed at the specific
10 time established in the previously-recited scheduling feature. It would be virtually
11 impossible for one reference (Bernardo) to disclose that content is displayed at a
12 time established by another reference (Fields). These features of the present claim
13 are logically interdependent and cannot be separated for the purpose of finding
14 their disclosure in separate cited references. These references, either alone or in
15 combination, fail to teach these particular features of claim 1.

16 Accordingly, and for at least the reasons discussed above, the Office has
17 failed to establish a *prima facie* case of obviousness with respect to this claim.
18 This claim is allowable.

19 Claims 2-11 depend from claim 1 and are allowable as depending from an
20 allowable base claim. These claims are also allowable for their own recited
21 features which, in combination with those recited in claim 1, are neither disclosed
22 nor suggested by the reference of record.

23 Claim 12 recites a computer executable method comprising:

- 24
- 25 • identifying a plurality of content providers;

- 1 • determining whether each of the plurality of content providers has
any new content to retrieve;
- 2 • retrieving new content from the plurality of content providers that
have new content to retrieve;
- 3 • storing the retrieved content in a central database;
- 4 • scheduling the retrieved content to be displayed on a Web page at a
scheduled time, wherein the scheduled time is based on an attribute
5 associated with the retrieved content; and
- 6 • displaying the retrieved content on the Web page at the scheduled
time.

7
8 In making out the rejection of this claim, the Office argues that its subject
9 matter is obvious over Fields in view of Bernardo. Applicant respectfully
10 disagrees and submits that the Office has failed to establish a *prima facie* case of
11 obviousness with respect to this claim for at least the reasons discussed below.

12 First, the Office argues that claim 12 incorporates substantially similar
13 subject matter as claimed in claim 1, and that claim 12 is thus rejected along the
14 same rationale. However, the language of claim 12 differs significantly from that
15 of claim 1. To the extent that the language of claim 12 is different from that of
16 claim 1, the Office has failed to properly examine this claim. Further, the
17 combination of Fields and Bernardo fails to teach all of this claims recited
18 features. As discussed above, the combination of Fields and Bernardo fails to
19 disclose the features of scheduling the retrieved content to be displayed on a Web
20 page at a scheduled time and displaying the retrieved content on the Web page at
21 the scheduled time. In addition, the Office fails to even address the feature of
22 wherein the scheduled time is based on an attribute associated with the retrieved
23 content. A careful search of the cited references indicates that neither one
24 discloses or suggests this particular feature.

25

1 For at least the reasons discussed above, the Office has failed to establish a
2 *prima facie* case of obviousness with respect to claim 12. This claim is allowable.

3 Claims 13-19 depend from claim 12 and are allowable as depending from
4 an allowable base claim. These claims are also allowable for their own recited
5 features which, in combination with those recited in claim 12, are neither disclosed
6 nor suggested by the reference of record.

7 Claim 20 recites a computer executable method comprising:

- 8
- 9 • identifying a plurality of content providers;
 - 10 • identifying a storage location associated with each of the content
11 providers;
 - 12 • retrieving a file from each storage location, wherein the file
13 identifies any new content to retrieve from the storage location;
 - 14 • if the file identifies new content to retrieve from the storage location:
 - 15 ○ retrieving the new content;
 - 16 ○ storing the retrieved content in a central database;
 - 17 ○ scheduling the retrieved content to be displayed at a first
18 scheduled time, wherein the first scheduled time is based on a
19 first attribute associated with the retrieved content; and
 - 20 ○ scheduling the retrieved content to be removed at a second
21 scheduled time based on a second attribute associated with
22 the retrieved content.
- 23

24 In making out the rejection of this claim, the Office argues that its subject
25 matter is obvious over Fields in view of Bernardo. Applicant respectfully
disagrees and submits that the Office has failed to establish a *prima facie* case of
obviousness with respect to this claim for at least the reasons discussed below.

First, the Office argues that claim 20 incorporates substantially similar
subject matter as claimed in claim 1, and that claim 20 is thus rejected along the
same rationale. However, the language of claim 20 differs significantly from that

1 of claim 1. To the extent that the language of claim 20 is different from that of
2 claim 1, the Office has failed to properly examine this claim.

3 Further, the combination of Fields and Bernardo fails to teach all of this
4 claims recited features. In arguing that these references disclose all of the features
5 of claim 20, the Office merely presents an argument for the obviousness of a
6 database for storing content. For the remainder of this claim's features, the Office
7 merely refers Applicant to the arguments presented for claim 1. However, there
8 are features recited in claim 20 that are not explicitly recited in claim 1. As but
9 one example, claim 20 recites (emphasis added):

- 10 • scheduling the *retrieved* content to be displayed at a *first* scheduled
- 11 time, *wherein the first scheduled time is based on a first attribute*
- 12 *associated with the retrieved content*; and
- 13 • *scheduling the retrieved content to be removed at a second*
- 14 *scheduled time based on a second attribute associated with the*
- 15 *retrieved content.*

16 These features are not explicitly recited in claim 1 and the Office fails to
17 present any argument for their disclosure or suggestion in the cited references. A
18 careful review of the cited references conducted by Applicant indicates that
19 neither Fields nor Bernardo discloses or suggests these features of claim 20.

20 For at least the reasons discussed above, the Office has failed to establish a
21 *prima facie* case of obviousness with respect to claim 20. This claim is allowable.

22 Claims 21-24 depend from claim 20 and are allowable as depending from
23 an allowable base claim. These claims are also allowable for their own recited
24 features which, in combination with those recited in claim 20, are neither disclosed
25 nor suggested by the reference of record.

1 **Claim 25** recites a content server comprising:

- 2
- 3 • a content collector configured to retrieve content from a plurality of
content providers;
 - 4 • a content verification tool coupled to the content collector, the
content verification tool configured to verify content retrieved from
5 the plurality of content providers; and
 - 6 • a content scheduler coupled to the content collector, the content
scheduler configured to schedule the received content for display
7 and further to schedule the received content for removal.

8

9 In making out the rejection of this claim, the Office merely refers Applicant
10 to the arguments presented for claim 1. Applicant respectfully disagrees that the
11 arguments presented for claim 1 establish the obviousness of the present claim.
12 Further, Applicant submits that the Office has failed to establish a *prima facie* case
13 of obviousness with respect to this claim for at least the reasons discussed below.

14 First, and contrary to the Office's argument, the language of claim 25
15 differs significantly from that of claim 1. To the extent that the language of claim
16 25 is different from that of claim 1, the Office has failed to properly examine this
17 claim.

18 Further, the combination of Fields and Bernardo fails to disclose or suggest
19 all of the features recited in this claim. Specifically, neither reference discloses or
20 suggests the feature of a content scheduler coupled to the content collector, the
21 content scheduler configured to schedule the received content for display and
22 further to schedule the received content for removal. The arguments for claim 1
23 relied on by the Office fail to even address the feature of a content scheduler
24 configured to schedule received content for removal. A careful review of the cited
25 references indicates that this feature, among others, is simply missing. The

1 absence of any argument by the Office to the contrary leads Applicant to conclude
2 that the Office was also unsuccessful in locating this feature in the cited
3 references.

4 For at least the reasons discussed above, the Office has failed to establish a
5 *prima facie* case of obviousness with respect to claim 25. This claim is allowable.

6 **Claims 26-30** depend from claim 25 and are allowable as depending from
7 an allowable base claim. These claims are also allowable for their own recited
8 features which, in combination with those recited in claim 25, are neither disclosed
9 nor suggested by the reference of record.

10 **Claim 31** recites a content processing system comprising:

- 11
- 12 • a content server configured to retrieve Web-based content from a
13 plurality of Web content providers, wherein the content is defined in
14 an extensible markup language (XML) file;
 - 15 • a database coupled to the content server, the database configured to
16 store content retrieved from the plurality of content providers; and
 - 17 • a Web server coupled to the content server, the Web server including
18 a content structure definition file that defines a proper format for the
19 content, wherein the Web server is configured to maintain a plurality
20 of Web pages that are generated using content stored in the database,
21 and wherein each of the plurality of Web pages is displayed during a
22 scheduled time period associated with content contained in each
23 Web page.

24 In making out the rejection of this claim, the Office argues that its subject
25 matter is obvious over Fields in view of Bernardo. Applicant respectfully
disagrees and submits that the Office has failed to establish a *prima facie* case of
obviousness with respect to this claim for at least the reason discussed below.

Specifically, the combination of Fields and Bernardo fails to disclose or
suggest all of this claims recited features. With respect to the recited feature of

1 wherein each of the plurality of Web pages is displayed during a scheduled time
2 period associated with content contained in each Web page, the Office merely
3 refers Applicant to the arguments presented for claim 1. However, this feature is
4 not explicitly recited in claim 1. The Office has failed to present any further
5 argument as to how the cited references disclose or suggest this feature of the
6 present claim. In point of fact, a careful review of both Fields and Bernardo
7 reveals that neither reference discloses or suggests this feature. This feature is
8 simply missing from the cited references.

9 For at least the reasons discussed above, the Office has failed to establish a
10 *prima facie* case of obviousness with respect to claim 31. This claim is allowable.

11 **Claims 32-33** depend from claim 31 and are allowable as depending from
12 an allowable base claim. These claims are also allowable for their own recited
13 features which, in combination with those recited in claim 31, are neither disclosed
14 nor suggested by the reference of record.

15 **Claim 34** recites one or more computer-readable media having at least one
16 physical media, the computer-readable media having stored thereon a computer
17 program that, when executed by one or more processors, causes the one or more
18 processors to:

- 19
- 20 • retrieve content from a plurality of content providers, the retrieved
content to be displayed in a Web page;
 - 21 • schedule the retrieved content to be displayed in the Web page at a
first scheduled time based on a first attribute associated with the
22 retrieved content; and
 - 23 • schedule the retrieved content to be removed from the Web page at a
second scheduled time based on a second attribute associated with
24 the retrieved content.
- 25

1 In making out the rejection of this claim, the Office merely refers Applicant
2 to the arguments presented for claim 1. Applicant respectfully disagrees that the
3 arguments presented for claim 1 establish the obviousness of the present claim.
4 The language of the present claim differs significantly from that of claim 1. To
5 the extent that the language of the present claim differs from that of claim 1, the
6 Office has failed to properly examine the present claim.

7 Further, the combination of Fields and Bernardo fails to disclose or suggest
8 all of this claims recited features. The arguments presented by the Office with
9 respect to claim 1 fail to even address the present claim's features of causing the
10 one or more processors to:

- 11 • schedule the retrieved content to be displayed in the Web page at a
12 first scheduled time based on a first attribute associated with the
13 retrieved content; and
- 14 • schedule the retrieved content to be removed from the Web page at a
15 second scheduled time based on a second attribute associated with
16 the retrieved content.

17 A careful search conducted by Applicant of the cited references indicates
18 that neither reference discloses or suggests these features of claim 34. These
19 features are simply absent from both Fields and Bernardo. As the Office has
20 presented no arguments to the contrary, Applicant is left to conclude that the
21 Office was equally unsuccessful in locating these features in the cited references.

22 For at least the reasons discussed above, the Office has failed to establish a
23 *prima facie* case of obviousness with respect to claim 34. This claim is allowable.

24 Claims 35-38 depend from claim 34 and are allowable as depending from
25 an allowable base claim. These claims are also allowable for their own recited

1 features which, in combination with those recited in claim 34, are neither disclosed
2 nor suggested by the reference of record.

3
4 **Conclusion**

5 All of the claims are in condition for allowance. Accordingly, Applicant
6 requests a Notice of Allowability be issued forthwith. If the Office's next
7 anticipated action is to be anything other than issuance of a Notice of Allowability,
8 Applicant respectfully requests a telephone call for the purpose of scheduling an
9 interview.

10
11 Respectfully Submitted,

12
13 Dated: 3/27/06

14 By: 

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